

## Draft Motion

The Parliament of St. Maarten, in its meeting of today, February 13<sup>th</sup>, 2012,

## CONSIDERING:

- That for several months now there has been an ongoing public debate about Members of Parliament having another full time <sup>job</sup> besides their membership of Parliament;
- That there is at the least one Member of parliament, Mr. Jules James, who has another full time job being the general manager of the Simpson Bay Resorts Management Company;
- That Article 44 of the Constitution of Sint Maarten states: The Parliament represents the entire population of Sint Maarten;
- That in accordance with Article 56, of the Constitution of Sint Maarten, the members of Parliament have made the following oath (declaration and promise) to the Governor before accepting their appointment. "I swear (promise) that I shall not accept any promise or gift from anyone at all, either directly or indirectly, in order to do or refrain from doing anything in the course of this appointment. I swear (promise) allegiance to the King and the Constitution of the Kingdom that I shall always help to uphold the Constitution of Sint Maarten and that I shall champion the interest of Sint Maarten to the best of my ability";
- That there are legal opinions that suggest that another full time job besides the membership of Parliament is in violation of the Constitution of Sint Maarten;
- That there are legal opinions that suggest, that when drafting the Constitution of Sint Maarten, the lawmaker at the time made several issues clear: That the membership of Parliament is a full time job; and that the salary of members of Parliament was meant as an incentive to attract professional persons to give up their private jobs and become members of Parliament;

- That an ongoing public debate on this issue should be avoided, as it is not in the interest of the image of Parliament and its members;

RESOLVES:

- That the Parliament of Sint Maarten will ask the Council of Advice to provide Parliament with an advice on how to deal with the issue of members of Parliament having another full time job;
- To ask the Council of Advice, to advise specifically on the following issue: Is having another full time job, besides the membership of Parliament in conflict with the Constitution of Sint Maarten?

And goes over to the order of the day.

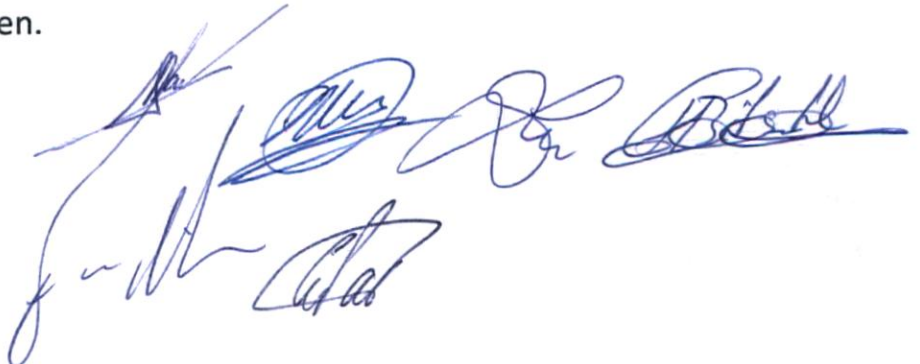
Copies of this motion to be sent to:

The Governor of Sint Maarten  
The Government of Sint Maarten  
The Council of Advice of Sint Maarten

And goes over to the order of the day.

Copies of this motion to be sent to:

The Governor of St. Maarten.  
The Government of St. Maarten.

A collection of handwritten signatures in blue ink, including several names and a date '2010'.

